JC08 Rec'd PCT/PTO 05 APR 2001

ATTORNEY DOCKET NO. 045636-5042

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
Denis PAQUET et al.	)
Application No.: Unassigned	) Group Art Unit: Unassigned
Filed: April 5, 2001	) Examiner: Unassigned
For: LOW ACIDITY FERMENTED DAIRY PRODUCTS FLAVOURED WITH WARM FLAVOURS	) ) )
Commissioner for Patents Washington, D.C. 20231	

Sir:

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage in an international application.

A copy of each listed document is attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached forms.

In lieu of a statement of relevance or translation of the non-English documents, an English language version of a search report from the European Patent Office in a corresponding application citing these documents and setting forth the relevance thereof is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do constitute "prior art" under United States law,

09/806821

JC08 Rec'd PCT/PTO 05 APR 2001

ATTORNEY DOCKET NO. 045636-5042

Application No.: Unassigned

Page 2

Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate

status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the

disclosed invention over the listed documents, should the documents be applied against the claims of the

present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by

this paper to charge any additional fees during the entire pendency of this application including fees due

under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees,

or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a

CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R.

§1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Elizabeth C. Weimar

Reg. No. 44,478

Dated: April 5, 2001

MORGAN, LEWIS & BOCKIUS LLP

1800 M Street, N.W.

Washington, D.C. 20036-5869

(202) 467-7000

1-WA/1590826.1

(1/98)